IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 21041 of 2002

Between:

M/s Jai Raj Ispat Ltd.,

Phase-II, IDA, Jeedimetla,

Hyderabad,

Rep. By its Executive Director,

Mr.N.Venkateswarlu,

S/o.late N.Rajagopala Rao,

Aged 57 years, R/o.Hyderabad.

..... PETITIONER

AND

1. Union of India, Ministry of Finance, Revenue Department, Chennai.

2. Central Board of Excise & Customs, New Delhi.

3. Additional Director General,

Directorate General of Excise Intelligence, South Zone Unit, C-3,

C-wing, Besant Nagar, Chennai-90.

4. Commissioner of Central Excise, Hyderabad-I Commissionarate,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or order or direction, declaring the Circular No.643/34/2002-CX dt.01-07-2002 in so far as Item No.3(b) is concerned, issued by CBE & C is contrary to Sec.4(3)(d) of the Central Excise Act is illegal arbitrary and unfair and violative of Article 14 of the Constitution of India and accordingly set aside the same and (iii) interdict the3rd and 4th respondents from proceeding with the assessment proceedings in pursuance of its Notice No.F.No.INV/DGCEI/SZU/77/2002 dt.19-9-2002.

Counsel for the Petitioner: MR.Y.VENKATESH REDDY

Counsel for the Respondents: MR.A. RAJA SHEKAR REDDY (SC FOR CG)

The Court made the following :

ORDER: (Per Hon'ble BRSR,J)

Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition. Permission is accorded.

Accordingly, the writ petition shall stand dismissed as withdrawn. No order as to costs.

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B. SUDERSHAN REDDY, J

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T.CH.SURYA RAO ,J

22nd day of November, 2004.

Vs/msv

To

1. Union of India, Ministry of Finance, Revenue Department, Chennai.

2. Central Board of Excise & Customs, New Delhi.

3. Additional Director General,

Directorate General of Excise Intelligence, South Zone Unit, C-3, C-wing,

Besant Nagar, Chennai-90.

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